

# EXHIBIT

“A”

**Mississippi Electronic Courts**  
**Ninth Circuit Court District (Warren County Court)**  
**CIVIL DOCKET FOR CASE #: 75CO1:23-cv-00188**

HAGGARD v. WILMINGTON SAVINGS FUND SOCIETY, FSB  
D/B/A CHRISTINANA TRUST AS TRUSTEE FOR PNPMS  
TRUST II  
Assigned to: Marcie Southerland

Date Filed: 03/21/2023  
Current Days Pending: 21  
Total Case Age: 21  
Jury Demand: None  
Nature of Suit: Other Real Property (109)

**Upcoming Settings:**

None Found

**Plaintiff**

**GREGORY B. HAGGARD**

represented by **John Allen Derivaux**  
1100 Clay Street  
VICKSBURG, MS 39183  
601-636-1229  
Email: ADerivaux@aol.com  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**WILMINGTON SAVINGS FUND  
SOCIETY, FSB D/B/A CHRISTINANA  
TRUST AS TRUSTEE FOR PNPMS  
TRUST II**

Date Filed	#	Docket Text
03/21/2023	<a href="#"><u>1</u></a>	COMPLAINT against WILMINGTON SAVINGS FUND SOCIETY, FSB D/B/A CHRISTINANA TRUST AS TRUSTEE FOR PNPMS TRUST II, filed by GREGORY B. HAGGARD. (Attachments: # <a href="#"><u>1</u></a> Civil Cover Sheet, # <a href="#"><u>2</u></a> Receipt,) (Stevens, Kelly) (Entered: 03/21/2023)
04/05/2023	<a href="#"><u>2</u></a>	ORDER SETTING HEARING ON MOTION FOR INJUNCTION. Signed by Judge Marcie Southerland on 4-4-23. (Barnett, Sherry) (Entered: 04/05/2023)

<b>MEC Service Center</b>
<b>Transaction Receipt</b>
04/11/2023 12:17:05
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<b>MEC Login:</b>	pl103705M	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	75CO1:23-cv-00188
<b>Billable Pages:</b>	1	<b>Cost:</b>	0.20

**FILED**  
MAR 21 2023  
JAN HYLAND DAIGNE, CIRCUIT CLERK  
BY \_\_\_\_\_ D.C.

**IN THE COUNTY COURT OF WARREN COUNTY, MISSISSIPPI**

GREGORY B. HAGGARD

PLAINTIFF

VS

CASE NO:

23,0188-CO

WILMINGTON SAVINGS FUND  
SOCIETY, FSB, D/B/A  
CHRISTINANA TRUST AS TRUSTEE  
FOR PNPMS TRUST II

DEFENDANT

**COMPLAINT FOR TEMPORARY RESTRAINING ORDER AND  
PERMANENT INJUNCTION AND TO SET ASIDE FORECLOSURE SALE**

COMES NOW GREGORY B. HAGGARD and petitions this Court for a  
Temporary Restraining order and Permanent Injunction and to set aside  
Foreclosure Sale against defendant Wilmington Savings Fund Society, FSB,  
D/B/A Christinana Trust as Trustee for PNMS Trust II and would show unto the  
Court as follows:

**PARTIES**

1. Gregory B. Haggard is an adult resident of Warren County, Mississippi.  
Defendant Wilmington Savings Fund Society, FSB is a corporate trust entity not  
authorized to do business in the State of Mississippi with an address of 5660  
Greenwood Plaza Blvd, Suite 100 S, Greenwood Village, CO, 80111.

**FACTS**

2. Plaintiff purchased certain property in Warren County, Mississippi on  
December 21, 2002 of record in Book 1290, Page 30. This property is identified  
as Lot 71, Warrenton Heights Subdivision, part 1. On or about August 16, 2004

Plaintiff executed a second mortgage deed of trust in favor of Citifinancial Real Estate Services, Inc which appears of record in Book 1485 Page 461 of the Warren County Land Records.

3. By assignment dated April 12, 2022 this deed of trust was assigned to Wilmington Savings Fund Society, FSB of record in Book 1678, Page 235. Exhibit A. Wilmington Savings Fund Society FSB substituted Rubin Lublin, LLC as trustee in the deed of trust by instrument dated March 30, 2021, of record in book 1610, Page 54. Exhibit B.

4. The substituted trustee conducted foreclosure sale of the property and on October 19, 2022 purported to foreclose on the property and filed trustees deed dated October 27, 2022. Deed Book 1684, Page 591. Exhibit C.

5. Plaintiff would show that over the last several years he attempted to contact the owner of the second mortgage set out above to determine the payments due under the deed of trust. There was no response to his inquiries.

6. Plaintiff would further show that the substitution of trustee that preceded the foreclosure sale was executed and recorded over a year prior to the assignment of the deed of trust to defendant. In effect Defendant did not own the deed of trust at the time it made the substitution which would render the sale void.

7. Plaintiff would further show unto the Court that the foreclosure notice does not list the book and page number of various instruments regarding the assignment and substitution of trustee concerning the deed of trust foreclosed which in effect provides for a lack of notice to Plaintiff which further renders the foreclosure sale void.

8. The date of sale was advertised to be held during legal hours (11-4) on October 19, 2022 at the front door steps of the Warren County Courthouse. Plaintiff would show that he and his representatives were at the Courthouse from 9 am till 5 pm on that date. No representative of Defendant appeared to conduct any foreclosure sale. Accordingly the sale was not properly conducted and would be void for that reason.

9. Defendant filed eviction proceedings based on the foreclosure in this Court Cause No 22-00723 in January 2023. This action was dismissed by Defendant by Notice dated February 7, 2023. Exhibit D.

10. Defendant now has agents or employees attempting to have the Vicksburg, Mississippi Police Department evict Plaintiff. The actions of Defendant following a defective foreclosure sale have and will cause irreparable damages to Plaintiff by denying them access to the property.

11. That Plaintiff requests that this Court enter a Temporary Restraining Order and to set an appropriate bond necessary to secure the issues involved in the litigation to set aside the foreclosure sale and to set a date, time and place wherein a hearing can be held regarding such Temporary Restraining Order and Permanent Injunction. Defendant should be restrained and enjoined from taking any action to remove Plaintiff from possession of the property. Plaintiff will suffer irreversible harm unless this Court enters a Temporary Restraining Order and Permanent Injunction to Defendant until the matter of the action to set aside sale is resolved by this Court.

12. Plaintiff further requests that a hearing be set on the issue of setting aside the foreclosure sale and that upon hearing, this Court will order that the foreclosure sale is void and should be set aside for the reasons set forth herein.

WHEREFORE, PREMISES CONSIDERED Plaintiff prays that this Court: 1 Enter a Temporary Restraining Order with sufficient bond and to set a time for hearing on the Temporary Restraining Order and Permanent Injunction restraining Defendant from taking any action to remove Plaintiff from the premises and 2. Set a hearing on the Complaint to Set Aside Foreclosure as set forth herein and after said hearing, order that the sale should be set aside and the trustees deed cancelled for the reasons set forth herein.

RESPECTFULLY SUBMITTED

  
Gregory Haggard

  
J. ALLEN DERIVAUX, JR.  
ATTORNEY FOR PLAINTIFF

OF COUNSEL:  
J. ALLEN DERIVAUX, JR.  
ATTORNEY AT LAW  
1100 CLAY STREET  
VICKSBURG, MS 39183  
601-636-1229

MSB# 6059

INSTRUMENT  
395734  
BOOK 1678  
PAGE 235  
2 PAGES

PREPARED BY:

C. R. Hall

RETURN TO:

C. R. Hall

2860 Exchange Blvd. # 100

Southlake TX 76092

(888) 316-7466

**Assignment of Deed of Trust**

Send Any Notices To Assignee.

For Valuable Consideration, the undersigned, U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE OF CVI LOAN TRUST I c/o 1349 Empire Central Drive #150, Dallas TX 75247 (Assignor) by these presents does assign and set over, without recourse, to WILMINGTON SAVINGS FUND SOCIETY, FSB, D/B/A CHRISTIANA TRUST AS TRUSTEE FOR PNPMS TRUST II 100 Quentin Roosevelt Blvd, #204, Garden City NY 11530 (Assignee) the described deed of trust with all interest, all liens, any rights due or to become due thereon, executed by GREGORY B HAGGARD to CITIFINANCIAL REAL ESTATE SERVICES, INC.. Trustee: Said deed of trust Dated: 8/16/2004 is recorded in the State of MS, County of Warren on 08/18/2004, as Book 1485 Page 461 AMOUNT: \$ 15,229.94 Property Address: 111 ALLENDALE DR., VICKSBURG, MS 39180 Assignor PH#: (877) 252-3761 SEE ATTACHED EXHIBIT A Assignee PH#: (516) 794-9700

IN WITNESS WHEREOF, the Undersigned Entity has caused this instrument to be executed as a sealed instrument by its proper signatory.

Executed on: 4/12/22

U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE OF CVI LOAN TRUST I By Real Time Resolutions, Inc. as Attorney in Fact

By:

Shauna K. Boedeker, Chief Financial Officer



State of Texas, County of Dallas

On 04/12/2022 before me, the undersigned, Shauna Boedeker, who acknowledged that he/she is Chief Financial Officer By Real Time Resolutions, Inc. as Attorney in Fact for U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE OF CVI LOAN TRUST I and that he/she executed the foregoing instrument and that such execution was done as the free act and deed of U.S. BANK NATIONAL ASSOCIATION, AS TRUSTEE OF CVI LOAN TRUST I.

Rontenia Roberts  
Notary public, Rontenia Roberts  
My commission expires: 05/03/2025



MS Warren

329591  
CAMG/SHER3/AOM/FBC

571381672

## Exhibit A

WARREN COUNTY, MISSISSIPPI.  
THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING  
SITUATE IN THE COUNTY OF WARREN, STATE OF MISSISSIPPI, MORE  
PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:  
ALL OF LOT 71 OF WARRENTON HEIGHTS SUBDIVISION, PART 1, AS  
SHOWN BY PLAT BOOK 1 AT PAGE 86 OF THE LAND RECORDS OF  
WARREN COUNTY, MISSISSIPPI.

\*\*\*\*\*FILED\*\*\*\*\*  
JUNE 6 2022 02:03 PM  
Instrument 395734  
Book 1678 Page 235  
Warren County Mississippi  
Donna F. Hardy, Chancery Clerk

20046458

Warren County, MS

CAMG/SHER3/AOM/FBC

INSTRUMENT  
384310  
BOOK 1660  
PAGE 594  
2 PAGES

FILE NO.: SBC-20-03720

PREPARED BY/ RECORD AND RETURN TO:

Rubin Lublin, LLC  
3145 Avalon Ridge Place  
Suite 100  
Peachtree Corners, GA 30071  
(770) 246-3300  
Bar Number: 100802

Grantor:

Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust as Trustee for PNPMS Trust II  
6061 S. Willow Drive  
Suite 300  
Greenwood Village, CO 80111  
720-931-6204

Grantee:

Rubin Lublin, LLC  
3145 Avalon Ridge Place  
Suite 100  
Peachtree Corners, GA 30071  
(770) 246-3300

Borrower:

GREGORY B. HAGGARD  
111 ALLENDALE DR., VICKSBURG, MS 39180

PARTIAL LEGAL DESCRIPTION:  
INDEXING INSTRUCTIONS LOT 71,  
WARRENTON HEIGHTS  
SUBDIVISION, PART 1, WARREN  
COUNTY, MISSISSIPPI.

APPOINTMENT OF SUBSTITUTE TRUSTEE

WHEREAS, on August 16, 2004, GREGORY B. HAGGARD, executed a Deed of Trust to DEBERA BRIDGES, Trustee, recorded in Deed Book 1485, Page 461, Office of the Chancery Clerk of Warren County Mississippi, (the "Deed of Trust"), to secure the payment of certain debts and obligations as described in the Deed of Trust;

WHEREAS, Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust as Trustee for PNPMS Trust II (the "Holder"), is the holder secured by the Deed of Trust, and it appears that action is now required under the Deed of Trust as a result of default having occurred; and

WHEREAS, pursuant to the Deed of Trust, Holder has elected to remove DEBERA BRIDGES and all previously appointed trustees, as Trustee and to appoint Rubin Lublin, LLC, as the Substitute Trustee and to remove all previously appointed trustees. Holder hereby ratifies all actions heretofore performed by Rubin Lublin, LLC as Substitute Trustee; and

Should the undersigned become the last and highest bidder at the foreclosure sale, the Substitute Trustee is hereby authorized to transfer and assign said bid and to convey title to said foreclosed property to the Secretary of Veterans Affairs, an Officer of the United States of America, or the Secretary of Housing and Urban Development, an Officer of the United States of America, or Federal Home Loan Mortgage Corporation, or Federal National Mortgage Association, or whomever the Holder shall authorize (the "Assignee"). The statement in the Substitute Trustee Deed that the Holder has requested transfer of its bid to grantee(s) in the Substitute Trustee Deed shall be binding on the Holder and conclusive evidence in favor of the Assignee or other parties thereto, and the Substitute Trustee is duly authorized and empowered to execute same.

\*\*\*\*\*FILED\*\*\*\*\*  
 APRIL 21 2021 01:04  
 Instrument 384310  
 Book 1660 Page 594  
 Warren County Mississippi  
 Donna F. Hardy, Chancery Clerk

1E1T  
 50  
 4  
 ES

NOW, THEREFORE, Holder, pursuant to and in compliance with the Deed of Trust, does hereby name and appoint Rubin Lublin, LLC as Substitute Trustee under the Deed of Trust, and declares that they shall have the same powers and authority as the Trustee (as such term is defined in the Deed of Trust). This instrument shall constitute a Deed of Appointment. All other Substitutions of Trustee in connection with said property are hereby REVOKED.

WITNESS, the execution hereof by Holder through its duly authorized officer, this 30<sup>th</sup> day of MARCH 2021

Statebridge Company as Attorney-in-Fact for Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust as Trustee for PNPMS Trust II

By: [Signature]  
 Print Name: ERICA MEDRANO  
 Title: FORECLOSURE TEAM LEAD

STATE OF Colorado  
 COUNTY OF Jefferson

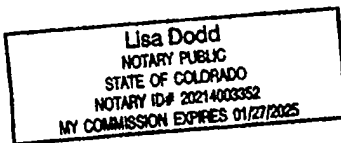
Before me, Lisa Dodd, of the state and county aforesaid, personally appeared Erica Medrano, of Statebridge Company, with who I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged herself/himself to be the Foreclosure Team Lead of Statebridge Company, acting as attorney-in-fact for and on behalf of Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust as Trustee for PNPMS Trust II, the within-named Holder, and that (he)(she), as such officer, being authorized to do so, has executed the above and foregoing instrument for the purposes therein contained by signing the name of the Holder as such attorney-in-fact by herself/himself as such officer.

GIVEN UNDER BY HAND AND OFFICIAL SEAL OF OFFICE this 30 day of March, 2021

[Signature]  
 Notary Public

My commission expires: 11/27/2025

(Notary Seal)



INSTRUMENT  
401555  
BOOK 1684  
PAGE 591  
4 PAGES

FILE NO.: SBC-20-03720-4

Prepared by and Return to:  
Rubin Lublin, LLC  
3145 Avalon Ridge Place  
Suite 100  
Peachtree Corners, GA 30071  
(770) 246-3300  
Bar Number: 100802

Grantor:	Grantee:	Indexing Instructions:
Rubin Lublin, LLC 428 North Lamar Blvd, Suite 107 Oxford, MS 38655 901-322-8705	Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust as Trustee for PNPMS Trust II 5680 Greenwood Plaza Blvd., Suite 100 S Greenwood Village, CO, 80111 720-931-6204	LOT 71, WARRENTON HEIGHTS SUBDIVISION, PART 1, WARREN COUNTY, MISSISSIPPI

#### SUBSTITUTE TRUSTEE'S DEED

WHEREAS, by that certain Deed of Trust dated August 16, 2004, and recorded August 18, 2004, in **Deed Book 1485, Page 461**, in the Office of the Chancery Clerk of Warren County, Mississippi (the "Deed of Trust"), **GREGORY B. HAGGARD** ("Borrower") conveyed to DEBERA BRIDGES, Trustee, for the benefit of CITIFINANCIAL REAL ESTATE SERVICES INC., certain real property as described below (the "Property") to secure the payment of a certain indebtedness described in the Deed of Trust including, without limitation, that is evidenced by a certain promissory note executed on August 16, 2004, (the "Note"), which obligation is presently held by **Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust as Trustee for PNPMS Trust II**; and

WHEREAS, demand was made for the payment of the Note secured by the Deed of Trust referenced above, the payment of which was in default, and the obligation secured by the Deed of Trust referenced above was declared due and payable as provided in the Note and Deed of Trust, but the obligation was not paid; and

WHEREAS, **Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust as Trustee for PNPMS Trust II**, the legal holder of the Note as evidenced by the Deed of Trust, demanded that the Substitute Trustee advertise and sell the Property in accordance with the terms of the Deed of Trust; and

WHEREAS, the Substitute Trustee caused a diligent search of the Defense Manpower Data Center (DMDC) website for each known Borrower in compliance with the Service Members Civil Relief Act, and as such the foreclosure of this property is not subject to the provisions of 50 U.S.C. § 501, et seq.; and

WHEREAS, the Substitute Trustee caused a diligent search of the PACER website for each known Borrower and determined that Substitute Trustee was not subject to an automatic stay in bankruptcy both at the time foreclosure proceedings commenced and the time the Property was sold; and

WHEREAS, the Deed of Trust was last assigned to **Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust as Trustee for PNPMS Trust II** said Assignment being set forth in the Office of the Chancery Clerk of Warren County, Mississippi; and

WHEREAS, the undersigned, Rubin Lublin, LLC, was duly appointed as Substitute Trustee in the place and stead of DEBERA BRIDGES, said appointment being set forth in the Office of the

Chancery Clerk of Warren County, Mississippi, prior to the first publication and posting of notice of sale; and

WHEREAS, the Substitute Trustee caused notice to be published as provided for under the laws of the State of Mississippi and as provided in the Deed of Trust in the Vicksburg Post, a newspaper generally circulated in Warren County, Mississippi, on the following dates, to-wit: **September 21, 2022, September 28, 2022, October 5, 2022, October 12, 2022**, which is more fully shown by the Proof of Publication, which is attached hereto as an Exhibit, and by posting a copy of said notice at the designated location for Warren County, Mississippi, in accordance with M.C.A. § 89-1-55. A copy of such notice was sent to the Borrower(s) and any other party who requires notice under the laws of the State of Mississippi and as provided in the Deed of Trust and following such notice the default was not cured; and

WHEREAS, on the 19th day of October, 2022, at the front door steps of the Courthouse, between the hours of 11:00 a.m. and 4:00 p.m., the Substitute Trustee did offer for sale at public outcry and did sell to the highest bidder for cash the following described land and property situated in Warren County, State of Mississippi, to-wit:

THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATE IN THE COUNTY OF WARREN, STATE OF MISSISSIPPI, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

ALL OF LOT 71 OF WARRENTON HEIGHTS SUBDIVISION, PART 1, AS SHOWN BY PLAT BOOK 1 AT PAGE 86 OF THE LAND RECORDS OF WARREN COUNTY, MISSISSIPPI.

WHEREAS the Substitute Trustee offered the aforesaid property for sale at public outcry as set forth above, and there appeared at said sale, **Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust as Trustee for PNPMS Trust II**, bidding the sum of Forty-Two Thousand Six Hundred Sixty-Six and 05/100 (\$42,666.05), for all of the above described property, and said property was struck off to **Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust as Trustee for PNPMS Trust II**, for said amount, and said bidder was declared the purchaser thereof.

NOW, THEREFORE, Rubin Lublin, LLC, Substitute Trustee as aforesaid, in consideration of the premises and the sum of **Forty-Two Thousand Six Hundred Sixty-Six and 05/100 (\$42,666.05)** cash in hand paid, the receipt of which is hereby acknowledged, does hereby sell and convey to **Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust as Trustee for PNPMS Trust II**, its successors and assigns, all the above described property, conveying only such title as is vested in the Substitute Trustee.

To have and to hold the aforesaid real estate, together with all improvements thereon, free from any equity of redemption, statutory right of redemption, spouses' elective share, homestead, dower, courtesy and all other exemptions, as provided in, but only to the extent provided in, said Deed of Trust.

# Publisher's Certificate of Publication

## STATE OF MISSISSIPPI COUNTY OF WARREN

Catherine Boone Hadaway, being duly sworn, on oath says she is and during all times herein stated has been an employee of Vicksburg Newsmedia publisher and printer of the The Vicksburg Post (the "Newspaper"), has full knowledge of the facts herein stated as follows:

1. The Newspaper printed the copy of the matter attached hereto (the "Notice") was copied from the columns of the Newspaper and was printed and published in the English language on the following days and dates:

09/21/22, 09/28/22, 10/05/22, 10/12/22

2. The sum charged by the Newspaper for said publication is the actual lowest classified rate paid by commercial customer for an advertisement of similar size and frequency in the same newspaper in which the Notice was published.

3. There are no agreements between the Newspaper, publisher, manager or printer and the officer or attorney charged with the duty of placing the attached legal advertising notice whereby any advantage, gain or profit accrued to said officer or attorney

*Catherine Boone Hadaway*

Catherine Boone Hadaway, Publisher

Subscribed and sworn to before me this  
12th Day of October, 2022

*Shandale Goodman*



Shandale Goodman, Notary Public  
State of Mississippi  
My commission expires 07-30-2026

Account # 203254  
Ad # 1512345

BETTER CHOICE NOTICE SOLUTIONS  
9035 WADSWORTH PKWY  
STE 2720  
WESTMINSTER CO 80021

### PUBLIC NOTICE

#### NOTICE OF SUBSTITUTE TRUSTEE'S SALE

STATE OF MISSISSIPPI  
COUNTY OF WARREN

WHEREAS, default has occurred in the performance of the covenants, terms and conditions of a Deed of Trust dated August 16, 2004, executed by GREGORY B. HAGGARD conveying certain real property therein described to DEBERA BRIDGES, as Trustee, for CITI-FINANCIAL REAL ESTATE SERVICES INC., Original Beneficiary, to secure the indebtedness therein described, as same appears of record in the office of the Chancery Clerk of Warren County, Mississippi filed and recorded August 18, 2004, in Deed Book 1485, Page 461; and

WHEREAS, the beneficial interest of said Deed of Trust was transferred and assigned to Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust as Trustee for PNPMS Trust II; and

WHEREAS, Rubin Lublin, LLC has been appointed as Substitute Trustee; and  
NOW, THEREFORE, the holder of said Deed of Trust, having requested the undersigned so to do, as Substitute Trustee or his duly appointed agent, by virtue of the power, duty and authority vested and imposed upon said Substitute Trustee shall, on October 19, 2022 within the lawful hours of sale between 11:00AM and 4:00PM at the front door steps of the Courthouse proceed to sell at public outcry to the highest and best bidder for cash or certified funds ONLY, the following described property situated in Warren County, Mississippi, to wit:

THAT CERTAIN TRACT OR PARCEL OF LAND LYING AND BEING SITUATE IN THE COUNTY OF WARREN, STATE OF MISSISSIPPI, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:  
ALL OF LOT 71 OF WARRENTON HEIGHTS SUBDIVISION, PART 1, AS SHOWN BY PLAT BOOK 1 AT PAGE 86 OF THE LAND RECORDS OF WARREN COUNTY, MISSISSIPPI. PROPERTY ADDRESS: The street address of the property is believed to be 111 ALLENDALE DR, VICKSBURG, MS 38180. In the event of any discrepancy between this street address and the legal description of the property, the legal description shall control.

Title to the above described property is believed to be good, but I will convey only such title as is vested in me as Substitute Trustee.  
THIS LAW FIRM IS ATTEMPTING TO COLLECT A DEBT.

ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

Rubin Lublin, LLC  
428 North Lamar Blvd,  
Suite 107  
Oxford, MS 38655  
rselaw.com/property-listing  
Tel: (877) 813-0992  
Fax: (470) 508-9401

Vicksburg Post: Sept. 21, 28,  
Oct. 5 and 12, 2022  
198078

\*\*\*\*\*FILED\*\*\*\*\*

NOVEMBER 2 2022 01:53 PM

Instrument 401555

Book 1684 Page 591

Warren County Mississippi

Donna F. Hardy, Chancery Clerk

Said sale will be subject to any and all unpaid ad valorem taxes (plus penalty and interest, if any) that may be a lien upon the Property; any and all liens, defects, encumbrances, adverse claims, and other matters which take priority over the Deed of Trust upon which this foreclosure sale is had; any statutory rights of redemption not otherwise waived in the Deed of Trust, including rights of redemption of any governmental agency, state or federal, which might not have been waived by such governmental agency; applicable covenants, restrictions, building setbacks, easements, and to all conditions as shown with respect to the aforementioned Property in the Register's Office of Warren County, Mississippi; any governmental zoning and subdivision ordinances or regulations in effect thereon; the accuracy of the Index Book of the said Register's Office; and any other matters which an accurate survey of the Property might disclose. The Property is conveyed AS IS WHERE IS, without representations or warranties of any kind whatsoever, whether express or implied. Without limiting the foregoing, THE PROPERTY IS SOLD WITHOUT ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR USE OR PURPOSE.

WITNESS the signature of the Substitute Trustee on this the 27<sup>th</sup> day of October, 2022.

Rubin Lublin, LLC

[Signature]  
Printed Name: Michael L. Baringer  
Title: Authorized Signer, Rubin Lublin, LLC

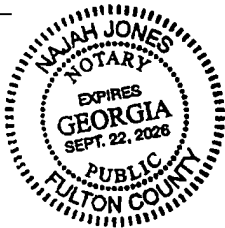
STATE OF GEORGIA     )  
COUNTY OF GWINNETT    )

PERSONALLY APPEARED BEFORE ME, the undersigned authority in and for the said County and State, on this the 27<sup>th</sup> day of October, 2022, within my jurisdiction, the within named Michael L. Baringer, an authorized signer, Rubin Lublin, LLC, a member-managed Limited Liability Company, and as the act and deed of said Limited Liability Company, (he)(she) executed the above and foregoing instrument, after first having been duly authorized by said Limited Liability Company to do so.

WITNESS my hand and seal, on this the 27<sup>th</sup> day of October, 2022.

[Signature]  
Notary Public

My commission expires:



IN THE COUNTY COURT OF WARREN COUNTY  
THE STATE OF MISSISSIPPI

WILMINGTON SAVINGS FUND SOCIETY,  
FSB, D/B/A CHRISTIANA TRUST AS TRUSTEE  
FOR PNPMS TRUST II

PLAINTIFF

CASE NO. 22-cv-00723

v.

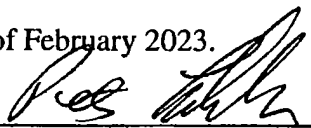
GREGORY HAGGARD, AND ALL OTHERS RESIDING AT  
111 ALLENDALE DR  
VICKSBURG, MS 39180

DEFENDANT(S)

NOTICE OF VOLUNTARY DISMISSAL

Pursuant to RULE 41 (a)(1)(i), *Miss.R.Civ.P.*, Plaintiff, Wilmington Savings Fund Society, FSB, d/b/a Christiana Trust as Trustee for PNPMS Trust II, by counsel, hereby gives notice of its voluntary dismissal without prejudice, of the above styled action.

Respectfully submitted this, the 7<sup>th</sup> day of February 2023.

  
Peter L. Lublin (MS Bar No. 103705)  
*Attorney for Plaintiff*  
3145 Avalon Ridge Place, Suite 100  
Peachtree Corners, GA 30071  
(770) 246-3356 (Telephone)  
(470) 508-9205 (Facsimile)  
evictions@rlselaw.com

500 Delaware Ave  
New Castle  
Wilmington,  
DE 19801

**CERTIFICATE OF SERVICE**

This is to certify that I have this day served the within foregoing Notice of Voluntary Dismissal by placing a true and correct copy of same in the United States Mail, properly addressed, with adequate postage thereon to:

GREGORY B. HAGGARD  
111 ALLENDALE DR  
VICKSBURG, MS 39180

ALL OTHER OCCUPANTS  
111 ALLENDALE DR  
VICKSBURG, MS 39180

<b>COVER SHEET</b>		Court Identification Docket #		Year	Docket Number
<b>Civil Case Filing Form</b> (To be completed by Attorney/Party Prior to Filing of Pleading)		<div style="border: 1px solid black; padding: 2px;">75</div> <div style="border: 1px solid black; padding: 2px;">9</div> <div style="border: 1px solid black; padding: 2px;">CO</div>	<div style="border: 1px solid black; padding: 2px;">20</div> <div style="border: 1px solid black; padding: 2px;">23</div>		<div style="border: 1px solid black; padding: 2px;">1</div> <div style="border: 1px solid black; padding: 2px;">88</div>
		County #    Judicial    Court ID District    (CH, CI, CO)	<div style="border: 1px solid black; padding: 2px;">CO</div> Local Docket ID		
Mississippi Supreme Court    Form AOC/01 Administrative Office of Courts    (Rev 2020)		<div style="border: 1px solid black; padding: 2px;">03</div> <div style="border: 1px solid black; padding: 2px;">21</div> <div style="border: 1px solid black; padding: 2px;">23</div>		Month    Date    Year This area to be completed by clerk	
Case Number if filed prior to 1/1/94					
In the <u>County</u> Court of <u>Warren</u> County — Judicial District					
<b>Origin of Suit (Place an "X" in one box only)</b> <input type="checkbox"/> Initial Filing <input type="checkbox"/> Foreign Judgment Enrolled <input type="checkbox"/> Transfer from Other court <input type="checkbox"/> Other <input type="checkbox"/> Remanded <input type="checkbox"/> Reopened <input type="checkbox"/> Joining Suit/Action <input type="checkbox"/> Appeal					
<b>Plaintiff - Party(ies) Initially Bringing Suit Should Be Entered First - Enter Additional Plaintiffs on Separate Form</b> <b>Individual</b> <u>Hagrove</u> <u>Gregory</u> <u>B</u> <div style="display: flex; justify-content: space-between;"> <span>Last Name</span> <span>First Name</span> <span>Maiden Name, if applicable</span> <span>M.I.</span> <span>Jr/Sr/III/IV</span> </div> <input type="checkbox"/> Check (x) if Individual Plaintiff is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style: Estate of _____ <input type="checkbox"/> Check (x) if Individual Plaintiff is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity: D/B/A or Agency _____					
<b>Business</b> _____ Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated <input type="checkbox"/> Check (x) if Business Plaintiff is filing suit in the name of an entity other than the above, and enter below: D/B/A _____					
<b>Address of Plaintiff</b> _____					
<b>Attorney (Name &amp; Address)</b> <u>J. Allen Deary</u> <u>MS Bar No. 6059</u> <input type="checkbox"/> Check (x) if Individual Filing Initial Pleading is NOT an attorney Signature of Individual Filing: <u>[Signature]</u>					
<b>Defendant - Name of Defendant - Enter Additional Defendants on Separate Form</b> <b>Individual</b> _____ <div style="display: flex; justify-content: space-between;"> <span>Last Name</span> <span>First Name</span> <span>Maiden Name, if applicable</span> <span>M.I.</span> <span>Jr/Sr/III/IV</span> </div> <input type="checkbox"/> Check (x) if Individual Defendant is acting in capacity as Executor(trix) or Administrator(trix) of an Estate, and enter style: Estate of _____ <input type="checkbox"/> Check (x) if Individual Defendant is acting in capacity as Business Owner/Operator (d/b/a) or State Agency, and enter entity: D/B/A or Agency _____					
<b>Business</b> <u>Wilmington Savings Fund Society FSR</u> Enter legal name of business, corporation, partnership, agency - If Corporation, indicate the state where incorporated <input type="checkbox"/> Check (x) if Business Defendant is acting in the name of an entity other than the above, and enter below: D/B/A _____					
<b>Attorney (Name &amp; Address) - If Known</b> _____ <b>MS Bar No.</b> _____					
<input type="checkbox"/> Check (x) if child support is contemplated as an issue in this suit.* *If checked, please submit completed Child Support Information Sheet with this Cover Sheet					
<b>Nature of Suit (Place an "X" in one box only)</b>					
<b>Domestic Relations</b> <input type="checkbox"/> Child Custody/Visitation <input type="checkbox"/> Child Support <input type="checkbox"/> Contempt <input type="checkbox"/> Divorce: Fault <input type="checkbox"/> Divorce: Irreconcilable Diff. <input type="checkbox"/> Domestic Abuse <input type="checkbox"/> Emancipation <input type="checkbox"/> Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Property Division <input type="checkbox"/> Separate Maintenance <input type="checkbox"/> Term. of Parental Rights-Chancery <input type="checkbox"/> UIFSA (eff 7/1/97; formerly URESA) <input type="checkbox"/> Other _____	<b>Business/Commercial</b> <input type="checkbox"/> Accounting (Business) <input type="checkbox"/> Business Dissolution <input type="checkbox"/> Debt Collection <input type="checkbox"/> Employment <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Replevin <input type="checkbox"/> Other _____	<b>Probate</b> <input type="checkbox"/> Accounting (Probate) <input type="checkbox"/> Birth Certificate Correction <input type="checkbox"/> Mental Health Commitment <input type="checkbox"/> Conservatorship <input type="checkbox"/> Guardianship <input type="checkbox"/> Joint Conservatorship & Guardianship <input type="checkbox"/> Heirship <input type="checkbox"/> Intestate Estate <input type="checkbox"/> Minor's Settlement <input type="checkbox"/> Muniment of Title <input type="checkbox"/> Name Change <input type="checkbox"/> Testate Estate <input type="checkbox"/> Will Contest <input type="checkbox"/> Alcohol/Drug Commitment (Involuntary)	<b>Children/Minors - Non-Domestic</b> <input type="checkbox"/> Adoption - Contested <input type="checkbox"/> Adoption - Uncontested <input type="checkbox"/> Consent to Abortion <input type="checkbox"/> Minor Removal of Minority <input type="checkbox"/> Other _____	<b>Civil Rights</b> <input type="checkbox"/> Elections <input type="checkbox"/> Expungement <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Post Conviction Relief/Prisoner <input type="checkbox"/> Other _____	<b>Contract</b> <input type="checkbox"/> Breach of Contract <input type="checkbox"/> Installment Contract <input type="checkbox"/> Insurance <input type="checkbox"/> Specific Performance <input type="checkbox"/> Other _____
<b>Appeals</b> <input type="checkbox"/> Administrative Agency <input type="checkbox"/> County Court <input type="checkbox"/> Hardship Petition (Driver License) <input type="checkbox"/> Justice Court <input type="checkbox"/> MS Dept Employment Security <input type="checkbox"/> Municipal Court <input type="checkbox"/> Other _____	<b>Statutes/Rules</b> <input type="checkbox"/> Bond Validation <input type="checkbox"/> Civil Forfeiture <input type="checkbox"/> Declaratory Judgment <input checked="" type="checkbox"/> Injunction or Restraining Order <input type="checkbox"/> Other _____			<b>Real Property</b> <input type="checkbox"/> Adverse Possession <input type="checkbox"/> Ejectment <input type="checkbox"/> Eminent Domain <input type="checkbox"/> Eviction <input type="checkbox"/> Judicial Foreclosure <input type="checkbox"/> Lien Assertion <input type="checkbox"/> Partition <input type="checkbox"/> Tax Sale: Confirm/Cancel <input type="checkbox"/> Title Boundary or Easement <input checked="" type="checkbox"/> Other <u>Set aside Foreclosure</u>	<b>Torts</b> <input type="checkbox"/> Bad Faith <input type="checkbox"/> Fraud <input type="checkbox"/> Intentional Tort <input type="checkbox"/> Loss of Consortium <input type="checkbox"/> Malpractice - Legal <input type="checkbox"/> Malpractice - Medical <input type="checkbox"/> Mass Tort <input type="checkbox"/> Negligence - General <input type="checkbox"/> Negligence - Motor Vehicle <input type="checkbox"/> Premises Liability <input type="checkbox"/> Product Liability <input type="checkbox"/> Subrogation <input type="checkbox"/> Wrongful Death <input type="checkbox"/> Other _____

## FEE BILL, CIVIL CASES, COUNTY COURT

State of Mississippi  
Warren County

GREGORY B. HAGGARD VS WILMINGTON SAVINGS FUND SOCIETY

Case # 23,0188-CO      Acct #      Paid By CHECK 6397      Rct# 91507

CLERK FEE	85.00
JURY TAX	3.00
COURT ADM	2.00
COURT REPORTER	10.00
LAW LIBRARY	2.50
COURT CONSTITUENT	.50
STATE COURT ED	2.00
COMPR COURT FUND	10.00
CIVIL ASSIST FUND	5.00
JUDICIAL SYSTEM OPR	40.00
ARCHIVE FEE CIVIL	1.00

=====  
Total      \$      161.00

Payment received from J. Allen Derivaux, Jr.  
P O BOX 1763

VICKSBURG      MS 39181

Transaction 107478 Received 3/21/2023 at 15:46 Drawer 1 I.D. KS

Current Balance Due      \$0.00      Receipt Amount \$      161.00

By \_\_\_\_\_ D.C. Jan H. Daigre, Circuit Clerk

Case # 23,0188-CO      Acct #      Paid By CHECK 6397      Rct# 91507

Case: 75CO1:23-cv-00188 Document #: 1-2 Filed: 03/21/2023 Page 1 of 1

**IN THE COUNTY COURT OF WARREN COUNTY, MISSISSIPPI**

GREGORY B. HAGGARD

PLAINTIFF

VS

CASE NO: 23, 0188 00

WILMINGTON SAVINGS FUND  
SOCIETY, FSB, D/B/A  
CHRISTINANA TRUST AS TRUSTEE  
FOR PNPMS TRUST II

DEFENDANT

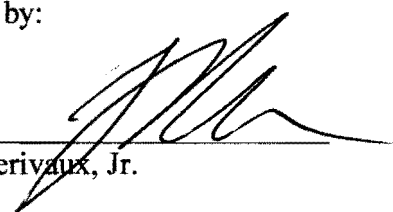
**ORDER SETTING HEARING ON MOTION FOR INJUNCTION**

This matter having come before the Court on Motion Ore Tenus by the Plaintiff and the Court hereby sets the Motion for Injunction for April 12<sup>th</sup>, 2023 at 10:00 AM in the County Courtroom, Warren County, Mississippi.

This the 4 day of April, 2023.

  
County Court Judge

Submitted by:

  
J. Allen Derivaux, Jr.